

**Nursing Care Quality Assurance Commission
MINUTES
Dept of Health
310 Israel Rd SE
Tumwater, WA 98501
Point Plaza East, Room #152, 153
January 9, 2004 8:30AM – 4:30PM**

**Commission Members
present :**

Frank Maziarski, RN, CRNA, Chair
Roberta Schott, LPN, Co-Chair
Rev. Ezra Kinlow, Public Member
Cheryl Payseno, RN, MPA
Jacqueline Rowe, RN
Marlene Wells, LPN
Mariann Williams, RN, MPH, ARNP

**Assistant Attorney
General:**

Laura Williams, Assistant Attorney General

Staff present:

Paula R. Meyer, RN, MSN, Executive Director
Kris McLaughlin, Secretary
Maura Egan, RN, Education Manager
Connie Fraser, Secretary
Jeanne Giese, RN, MN, Chief Investigator
Karl Hoehn, Lead Staff Attorney
BJ Noll, temporary Practice Manager
Terry West, Health Service Consultant 4

1. Opening—Frank Maziarski, Chair

Frank Maziarski opened the meeting at 8:35AM January 9, 2004.

2. Consent Agenda—DISCUSSION/ACTION

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

- Business meetings and hearings minutes
- Sub-committee minutes
- Nursing Education Approval Panel (NPAP) Decisions
- Medical abbreviations prohibited by Joint Commission on Accreditation (JCAHO) of Health Care Organizations
- Health Professions Quality Assurance (HPQA) fact sheet
- Citizens Advocacy Council (CAC) report, Karen Brewer
- Budget and strategic plan report according to the Operating Agreement
- Other

DISCUSSION: There will be a full budget report at the March commission meeting. All disciplinary policies included in the consent agenda have been reviewed by the disciplinary subcommittee. The November commission minutes were taken from the consent agenda for discussion.

ACTION: The consent agenda was approved with the corrections to the minutes and the addition of the Education Subcommittee minutes.

3. Chair Report –Frank Maziarski - DISCUSSION/ACTION

- HPQA policy and State Ethics Law

DISCUSSION: Frank Maziarski resigned his position as the chair of the Nursing Commission effective February 1, 2004. Frank has been elected to serve as the President – elect of the American Association of Nurse Anesthetists.

DECISION: The nominating committee will make a recommendation of who will complete the term of chair for the commission.

4. Executive Director report – Paula Meyer - DISCUSSION/ACTION

- New Assistant Attorney General: Laura Williams
- State Ethics Law and HPQA policy
- National Council of State Boards of Nursing (NCSBN) Delegation video
- Multi State Recognition of licensure meeting: date, time, agenda, participant list
- Taxonomy of Error, Root Cause Analysis and Practice Responsibility (TERCAP) project and graduate students report – CD available
- Nursing Care Quality Assurance Commission (NCQAC) Practice Guidelines launched on web-site
- National Council Licensure Examination (NCLEX) – PN changes – review materials, recommendations/report will be due at the March meeting
- Other – Copies of the Continued Competency Report from Section 3 will be distributed for the March meeting

DISCUSSION - Paula Meyer introduced Laura Williams, new AAG, B.J. Noll, temporary Nurse Practice manager and Larry Berg, temporary staff attorney.

Karen Jensen, AAG, explained the State Ethics law and how it relates to the commission member roles and potential areas of conflict of interest.

The NCSBN video on delegation to unlicensed assistive personnel is available upon request at the nursing commission office.

The Practice guidelines are now available on the nursing web site at:

<https://www2.wa.gov/doh/hpqa-licensing/hps6/Nursing/practice.htm>

DECISION: Multi State Recognition of licensure presentation will take place the evening of March 11 to include pro tems as well as invited guests. The Education subcommittee will discuss the NCLEX –PN passing standard and report back to the NCSBN by March 15. A report will be given to the Nursing Commission at the March meeting. Continuing Competency will be presented at the March meeting.

5. Discussion items - DISCUSSION/ACTION

If items are selected for action and a task force assigned, the group will meet once, complete the charter and then come to the next meeting for decision to proceed.

DECISION: The Disciplinary subcommittee will meet to discuss streamlining the “yes answers” policy. Cheryl Payseno and Karl Hoehn will meet and report back to the Nursing Commission in March with a recommendation. Faculty and instructors have asked for applicant direction if there are “yes answers” to the personal data questions on the RN/PN/ARNP applications.

6. Policies – Paula Meyer - DISCUSSION/ACTION

Two NCQAC policies have been revised and the NCQAC will review and consider adoption of the revisions.

- Delegation to a single member at case management for investigation decisions
- Add University of Washington Workforce Skills Center to list and labels policy

DISCUSSION: These policies have been revised and are included in the discipline sub-committee packets.

7. LPN Role in Community Based Care Settings task force – Jackie Rowe, Becky Kerben, Marianne Williams - DISCUSSION/ACTION

The task force members will provide a report to the NCQAC on the stakeholder meetings and the draft of a position statement.

DISCUSSION: Marianne Williams explained that the draft position statement is a discussion document at this time. The meeting in January was cancelled due to inclement weather. The next and final meeting with stakeholders will be scheduled for late January. A report will be given to the commission after the final meeting with the task force.

8. Commission chair and Vice chair position description – Paula Meyer - DISCUSSION/ACTION

The NCQAC will consider revising the vice chair position description to add responsibilities in the absence of the chair.

DISCUSSION: There was discussion as to the need of a nominating group to elect a new Chair prior to the March meeting. The election could be a conference call and would need to comply with the open public meetings act. The task force should look at the position description to make it clarify the succession to the Chair and function of the Vice Chair.

DECISION: The task force will review the criteria for succession to the chair. The task force will consist of Cheryl Payseno, Roberta Schott, Ezra Kinlow and Karl Hoehn.

Cheryl Payseno, Jackie Rowe and Marlene Wells will get opinions today from other Commission members as to the role of the temporary Chair.

ACTION: A motion was made and passed that the vice chair will resume the chair position until the committee makes a recommendation.

9. Council for Adult and Experiential Learning (CAEL) presentation – Anne Wetmore, Danielle Jackson – DISCUSSION/ACTION

The U.S. Labor Department has awarded grant funding to the CAEL to develop healthcare career ladders five states by designing pilot programs for LPN students that will assist them to “Earn while they learn.” Marianne Williams, Dr. Maura Egan, Paula Meyer, Laura Williams and Mark Brevard participated in a meeting with Ms. Wetmore and Ms. Jackson and Madeline Thompson (Workforce Training and Education Board) to receive more information on the CAEL program. Ms. Meyer also participated in a National Council of State Boards of Nursing conference call with Executive Directors from the five states that have received funding dollars for this pilot program development. Ms. Wetmore and Ms. Jackson will present to the NCQAC the work to date on the project. An advisory committee for the project may be formed and representation from the NCQAC may be requested.

DISCUSSION: Anne Wetmore and Danielle Jackson gave a presentation of the Health Care Career Lattice Program pilot site. Washington is 1 of 5 States participating in the project in the US. Handouts of the presentation are available upon request at the commission office. This project will provide an additional career path for LPNs.

A concern related to the number of LPN students was raised. Since there are limited instructors currently available, and this program could potentially increase the number of LPN students, adequate numbers of faculty may not exist.

DECISION: A decision was made to request an AAG advise as to the role a Nursing Commission member can fulfill on the CAEL advisory panel. A report from the AAG will be given at the March meeting.

10. Rules update – Kendra Pitzler - DISCUSSION/ACTION

Emergency clauses in the legislation for Nurse Delegation and Nursing Technicians directed the NCQAC and the Department of Health to adopt rules within 90 days. The NCQAC is now considering the adoption of the final rules for Nurse Delegation and Nursing Technicians. Draft language and timelines will be presented.

There were two areas in the draft language on the Nursing Education Rules that remained contentious: accepting of national accrediting bodies reports and faculty to student ratios. The NCQAC and stakeholders were favorable to the language on the acceptance of the reports from the national accrediting bodies. The NCQAC will review language related to the faculty to student ratios at this meeting.

DISCUSSION: Kendra Pitzler gave a report on the Nurse Delegation and Nurse Technician rules.

Question: if a nursing student is not in good standing, contact the DOH at (360) 236-4723.

"Hospice" was added to the language drafted for the nurse delegation rules.

Education rules - comments received were unclear as to how a survey will be beneficial. The survey's are indicators of how well the schools are performing.

The necessity for a 1 – 10 ratio of faculty to students was discussed.

DECISION: WAC 246-840-570, 2, b & c (faculty to student ratio). Is there consensus with this language? Cheryl and Marianne agree to leave it in at 10. If the school needs to ask for variance then they could submit a report.

A decision was made to have further discussion of this subject.

ACTION: The commission members working on this language will hold a conference call to further refine the language. A report will be presented at the March meeting.

11. Washington Nursing Leadership Council (WNLC) report – Frank Maziarski, Cheryl Payseno, Paula Meyer – DISCUSSION/ACTION

The Washington Nursing Leadership Council is comprised of the Washington State Nurses Association (WSNA), the Council of Nursing Educators of Washington State (CNEWS), NorthWest Organization of Nurse Executives (NWONE) and the NCQAC. WSNA is considering initiating legislation to increase the nursing licensing fee in the form of a surcharge to support the financial costs of the Washington Center for Nursing. The NCQAC will discuss the surcharge to the licensing fee and the Center for Nursing.

DISCUSSION: Cheryl reported that the WLNC is seeking comments from the Nursing Commission on Legislation related to a fee surcharge to support a center for nursing. The Nursing Commission can give input but it is up to the Department to develop a position.

DECISION: The Nursing Commission supports the concept of using the center for collecting data.

12. Military training for nurses – Paula Meyer – DISCUSSION/ACTION

A meeting was held on December 5, 2003, with representatives from the armed forces, workforce training and development, nursing schools, NorthWest Organization for Nurse Executives, Washington State Nurses Association, Dr. Maura Egan and Penny Woodruff, NPAP member. Jamie Krause from the Pacific Mountain Workforce Development Council has been working on a project to evaluate the potential for LPN schools to recognize skills attained by armed forces personnel that may be comparable to LPN skills. Work groups were organized to address 3 main

areas of concern: the role of the community and technical schools, the role of the nursing commission, and current training of armed forces medical personnel.

DISCUSSION: Paula Meyer explained the purpose of the workgroup. The question exists of the ability for LPN programs to recognize medical training received in military programs as equivalent to specific LPN skills. Madeline Thompson, workforce training board, explained the links through different entities throughout Washington state.

There will not be a report at March meeting as the group will not meet until the end of March.

Another question is "What is the role of commission members participating on these groups in relationship to the state ethics law?" What is the role expected to be in this scenario. The Commission members are not being asked to participate in this group at this time but to review the report. The nursing commission members could participate at the meetings as non voting members and for informational purposes only.

Will the schools in WA accept training in lieu of education? The VoTech schools might have an easier time granting credits.

13. Nursing Assistant Training/Caregiver Training – Judy Personett, Paula Meyer – DISCUSSION/ACTION

Nursing assistants are required by law to complete seven hours of HIV/AIDS training prior to registration and certification. An agreement had existed between the Nursing Assistant Program, DOH, and DSHS, that the caregiver training for HIV/AIDS was equivalent to the seven hours of training for HIV/AIDS. Judy Personett volunteered to review the curriculum for both programs and recommend action to the Nursing Assistant program.

A second related issue is the comparison of the caregiver curriculum to the nursing assistant, certified, training requirements. According to Senate Bill 6544, the NCQAC was directed to compare the recently completed Caregiver curriculum to the nursing assistant training curriculum and recognize areas in common. The NCQAC will name members that will complete the comparison according to the law and make recommendations.

DISCUSSION: Dr. Personett was unable to attend the meeting and the draft of a letter to DSHS assistant secretary, Kathy Leitch, was presented by Paula Meyer. Ms. Meyer complimented Dr. Personett on the amount of work completed to compare and analyze the content of the Fundamentals of Caregiving Curriculum and the KNOW/AIDS curriculum.

DECISION: With minor additions, the curriculums were deemed as equivalent. DSHS personnel have agreed to revise the caregiver curriculum. On the second issue, Roberta Schott and Judy Personett will represent the NCQAC in a full review of the Caregiver curriculum and the nursing assistant certified curriculum.

14. Executive Session if needed - The Executive Session is that part of a regular or special meeting that is closed to the public

An executive session was not needed at this time.

LUNCH

1:00PM–OPEN MIKE - Open mike is for public presentation of issues to the Nursing commission

15. Practice Subcommittee report – Roberta Schott – DISCUSSION/ACTION

A. Advisory opinions – DISCUSSION/ACTION

1. Request from: Melanie Gilmore, RN, BSN, Director Educational Services, Yakima Valley RE: Memorial Hospital, 2811 Tieton Drive, Yakima, WA 98908

Is it appropriate for the RNs in our hospital to teach our patients friends/family or identified individuals to assist them (following discharge from the hospital) with tasks such as: insulin administration and

catheterization, when the caregiver is reimbursed by the patient, agency, or insurance. The caregivers we teach are typically family and friends, but recently one caregiver was going to receive reimbursement. Hospital staff was unaware caregiver would be reimbursed. Should this matter? Should we refuse to teach the caregiver if they say they'll receive reimbursement?

DECISION: Paula explained that there was discussion at the last meeting and advised that this Advisory Opinion be revisited at the Practice subcommittee meeting.
A request to delay action on this request was granted until all information is received.

2. Request from: Connie Godfrey, Care solutions, Inc.
May a Registered Nurse (RN) delegate medication assistance to a Certified Nursing Assistant (CAN) if the main caregiver can no longer help the patient?

ACTION: A motion was made and passed to accept this advisory opinion.

3. Request from: Irene Owens, Office Chief, Policy Program Development Aging and Disability Services Administration, DSHS
Is the use of Vagal Nerve Stimulators (VNS) by unlicensed staff acceptable in community based care settings, such as adult family homes and boarding homes?

DECISION: This advisory opinion will be tabled until the March meeting.

B. Other

16. Education Subcommittee report – Mariann Williams – DISCUSSION/ACTION

- Annual plan

DECISION: A motion was made and passed to accept this annual work plan.

- Membership proposal

DECISION: A motion was made and passed to add an LPN member to the education subcommittee chair person. Marlene Wells will be on the Education subcommittee.

DISCUSSION: The minutes for the November 11 Education subcommittee meeting were distributed for review by the commission.

17. Discipline Subcommittee report – Cheryl Payseno – DISCUSSION/ACTION

- **Approval of revisions made to policies related to Discipline.** Please bring the green folders that hold the position descriptions, committee and panel members, telephone number, etc. to this meeting. The folders will be collected and updated, then mailed to members. New members who have not received folders will receive new folders.
- **Other**

18. Other/FYI

DISCUSSION: Terry West explained HB2326 which will transfer discipline authority on certain cases to the Secretary rather than the Boards and Commissions.

Paula Meyer requested that the commission members review this bill and respond to her no later than Monday January 12 with their comments. Paula will summarize the comments and send a report back to commission members and forward comments in the DOH.

CHARGING PANEL MEMBERS:

Roberta Schott will lead panel #1 and will include Marlene Wells, Jeni Fung and Marianne Williams.

Cheryl Payseno will lead panel #2 and will include Becky Kerben, Ezra Kinlow, Jeanne Vincent, Jackie Rowe and Judi Personett.

The Discipline subcommittee will review the yes answer procedure.

ACTION: A motion was made and passed to accept the recommendation made by the nominating committee to elect Cheryl Payseno as chair of the nursing commission through June 30, 2004.

A conference call will be held to conduct the election of the new chair. According to the open public meetings act, an announcement of the meeting will be distributed. The meeting will be scheduled for the first week of February.

The meeting was adjourned at 3:50PM, January 9, 2004 by Frank Maziarski, Chair. Kris McLaughlin recorded the minutes. The minutes were approved March 12, 2004.